

To Federal Communications Commission Chairman Julius Genachowski & FCC Commissioners

Preservation of Net Neutrality is crucial to implementation of the National Broadband Plan and keeping the Internet open -- we need open, universal, affordable access to broadband as I have stated earlier and even explained in past filings.

Right now I am writing in the hope the FCC takes action to preserve Network Neutrality rules and re-assert the agency's authority to enforce them to save the Open Internet from corporate gatekeepers. The Open Internet has been a powerful tool enabling free flow of information and communication, commerce, even citizen journalism -- as citizens can now report news happening in their own communities and use tools like CNN's iReport to report events they witness to CNN -- which in turn can share news stories reported to it to everyone else. The point is we don't have to rely on established journalists, news reporters, and media outlets anymore for our news -- we can report our own news, share news stories using social media tools like My Space, Facebook and even Twitter. Users can create their own blogs to share snippets of their daily lives and write about what's happening in their lives or in their communities etc -- while not all blogs may be verifiable sources of information some can be turned to for news.

When broadband was briefly classified as a Title II telecommunications service during the years of the Clinton Gore Administration there was more competition, innovation, investment and job creation in broadband market, thanks to deregulation while revenue has increased for broadband providers everything else has declined. It is in public's interest to have faster, open, more affordable broadband. Countries that kept regulations have more choices now in fixed wire-line broadband service with often better quality.

Using the Internet some individuals in Iran some months back managed to upload video of the protests following Iran's last Presidential election that many critics thought was fixed to YouTube. Without an Open Internet new web based businesses -- future startups won't have a chance to compete. Right now any business can be started and can innovate without ISP permission. Instead of protecting monopoly companies the U.S. Government should promote and protect competition and innovation -- so the future Googles and Yahoos websites can have equal opportunity to succeed or fail on their merits. Right now all websites load equally at the same speed -- but some ISPs want to implement something called paid prioritization where you pay for priority access -- some established web firms like Google, Yahoo, AOL, the Microsoft Network (MSN.com), etc might be able to afford to pay for faster access but new startups and noncommercial, independent websites that cannot would be restricted to a new slow lane (public Internet) while new services under the "managed services" moniker which the owners of pay for faster access get included in a fast private for profit lane. This would create a two tiered unequal Internet -- a slow lane for us and a fast lane for them.

This is unacceptable. Network Neutrality must be preserved and extended to mobile broadband to ensure consumers in the mobile space have the freedom to use the mobile applications of their choice over their wireless phone carrier's network -- carriers cannot discriminate against specific applications for business reasons -- like AT&T blocking the Skype for iPhone VOIP app initially on its 3G network (limiting it to Wifi even though technically it could run on 3G), or approving MLB At Bat video streaming app but rejecting the Sling Player Mobile for iPhone video streaming app -- they cannot cherry pick if they say video based apps use up too much bandwidth that harms their network they must either block all such apps from their network or approve them all they can't have it both ways. Below I will elaborate further on my support for an Open Internet and opposing the Comcast NBC Universal merger for anti competitive and anti consumer harms.

I am writing again to express my opposition to the Comcast NBC Universal merger which could pose a threat to online video on demand (digital delivery and distribution systems) -- companies that provide us services like Internet access, TV etc should not be able to own content. All companies should be split between service providers (pipes only) and application/content providers. Also one service provider should not be able to merge with 2 or 3 other major providers like AT&T did with SBC Communications and Bell South (two Baby Bells) to re-establish the Ma Bell system (AT&T's Ma Bell monopoly was once protected by government until government realized protecting and promoting competition was the right thing to do and forced AT&T to breakup from the Baby Bells to create new competition in the land-line wire-line phone market) today collusion exists in wire-line broadband -- an anti competitive duopoly of big cable and phone companies thanks to cowboy Texan U.S. President George W. Bush's deregulatory push anti competitive and anti consumer mega mergers were approved.

Comcast like AT&T is an opponent of Network Neutrality nondiscrimination rules to preserve Internet openness and freedom (we the people insist on preserving the free and open Internet -- keep it free of corporate gate-keepers and an open democratic medium that is participatory and people powered) and is one of the worst giant cable companies out there providing subpar service.

Allowing Comcast to get bigger benefits no one but Comcast, their executives, lobbyists and shareholders as well as a few executives at NBCU. Comcast has argued that conditions could be placed on it if merger is approved using common carriage laws but then their lobbyists argue its unconstitutional and unfair to require they comply with such rules, as its against Comcast's interests to be regulated as such and to follow the law. When they don't like laws they lobby to change them for their own benefit.

Similar merger conditions were put on AT&T when they were allowed to re-merge with SBC Communications and Bell South -- that ended up bad -- as once the time period in which they had to comply with the conditions was up -- they are no longer required to meet those conditions after a 2 or

3 year period. Lets say Comcast is allowed to merge on the condition they try not to mess with Net Neutrality for 2 years -- what happens after those 2 years they are allowed to mess with it and continue to try to misinform the public, Congress, and the FCC against rules to keep the Internet open.

We the people do not want an unequal two tiered Internet -- we reject pay for play schemes for paid prioritization. We reject the idea of a slow lane (public Internet) that is free or relatively inexpensive and a fast private lane that is more costly -- noncommercial entities and small business owners unable to pay the toll for faster access would suffer under this approach. Right now all web traffic is treated equal and ISPs cannot discriminate against packets regardless of their source, destination, etc - they may not degrade, slow, or block Internet traffic -- favor some websites over others etc but that's what they want to do and we cannot allow them to get away with it. We must preserve Network Neutrality for fixed wire-line broadband ISPs and extend it to mobile broadband (wireless phone carriers offering mobile broadband should also be made to comply with rules) as it should not matter how we access the Internet. Every ISP should become a dumb pipe taking us to the same Open Internet and provide us equal nondiscriminatory access.

To that end we need to re-regulate broadband as a Title II telecommunications service and broadband providers should be regulated as common carriers. This way we can preserve the openness and freedom of the Open Internet -- we can keep the Internet an open platform for commerce, education, free flow of telecommunication and information. The Internet is a global telecommunications service that must remain open.

Once AT&T's conditions expired they lobbied against Net Neutrality calling it falsely a solution in search of a problem as did the other big telecoms and cable companies. Recently, AT&T is moving away from that excuse but coming up with a newer one (problem what problem?) suggesting Internet freedom, and Net Neutrality is not a problem for AT&T but clearly AT&T is a problem for Net Neutrality and the Open Internet.

We cannot approve the Comcast NBC Universal merger even with conditions. I say reject this merger for anti competitive harms now.

Sincerely,  
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